

MEMORANDUM

April 21, 2005

RE: Commercial Use of Modular Structures

Permanently installed pre-manufactured (modular) structures are not always suitable for commercial use. Regardless of their movable status these structures must meet all Life Safety Code and ADA-AG (Handicapped Accessibility) Requirements. Such structures typically require a local building permit, and this office's review with an inspection. If a seller does not intend to provide the additional work and alterations necessary for these structures to meet code requirements, this office recommends the following precautions:

1. Potential buyers should confirm with the dealers that they plan to use these buildings for commercial use, and that applications for approval must be submitted to the State Fire Marshal for review.
2. Potential buyers should be careful not to sign a "contract clarification" containing the following stipulations:
 - The unit being purchased is a used unit being sold "AS IS", it is not a coded unit.
 - Any requirements or directives by local inspectors and/or other agencies shall be the responsibility of the buyer/lessee.
3. Potential buyers should request a dealer's guarantee that the product is suitable for its intended use and that it complies with all applicable regulatory codes.

DZ/md